

UNITED STATES DISTRICT COURT

for the
District of NebraskaUnited States of America
v.

Patrick Hoshor

Defendant(s)

Case No. 8:23MJ207

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of March 31, 2023 in the county of Douglas in the
 District of Nebraska, the defendant(s) violated:*Code Section*


21:841(a)(1) & (b)(1)(C)

Offense Description

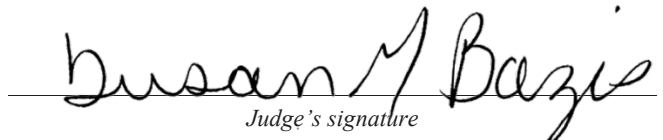
Defendant did knowingly and intentionally distribute a mixture or substance containing a detectable amount of fentanyl, a Schedule II controlled substance, that resulted in the death of an individual, B.R.

This criminal complaint is based on these facts:

See attached affidavit

☒ Continued on the attached sheet. #1751
Complainant's signature

Wendi Dye, DEA Task Force Officer/OPD

Printed name and title☐ Sworn to before me and signed in my presence.☒ Sworn to before me by telephone or other reliable
electronic means.Date: 4-6-23
*Judge's signature*City and state: Omaha, Nebraska

Susan M. Bazis, U.S. Magistrate Judge

Printed name and title

AFFIDAVIT IN SUPPORT OF CRIMINAL COMPLAINT AND ARREST WARRANT

I, Task Force Officer Wendi Dye, being duly sworn, hereby depose and state that the following is true to the best of my information, knowledge, and belief:

INTRODUCTION AND AGENT BACKGROUND

1. Your Affiant, Wendi Dye, is a law enforcement officer of the United States within the meaning of Title 18, U.S.C., § 2510(7), that is, an officer of the United States who is empowered by law to conduct investigations of, and to make arrests for offenses enumerated in Title 18, U.S.C., § 2516. I am currently a Task Force Officer (TFO) with the Drug Enforcement Agency (DEA) and a Detective with the Omaha Police Department. I have been a TFO with the DEA since 2022 and have been a police officer with the Omaha Police Department since 2004. I graduated from the Omaha Police Department Academy in 2004 after a twenty-two week academy and fifteen weeks in field training. Within the Omaha Police Department Investigations Bureau, I have worked North/South investigations, Major Crimes, Felony Assault and Homicide. Over the course of my career, I have investigated hundreds of death cases including overdose deaths. In conducting my official duties, I have authored affidavits in support of search warrants and criminal complaints. I have participated in the execution of search warrants for controlled substances, their proceeds, and documentary evidence of drug trafficking. Through the course of these investigations, I have interviewed persons arrested for all types of crimes including homicides, robberies and narcotic activity. In my training and experience as a TFO, I have worked with the Overdose Task Force investigating cases from the initial scene of the overdose all the way through prosecution. I have testified in both State and Federal Court on various cases. The facts in this affidavit come from my personal observations, training and experience, and information obtained from other agents and witnesses.

AFFIDAVIT PURPOSE

2. This affidavit is submitted to support a criminal complaint and application for arrest warrant for and against HOSHOR, Patrick.

3. Based on my training and experience and the facts set forth in this affidavit, your Affiant submits there is probable cause to believe that HOSHOR violated 21 U.S.C. § 841(a)(1), distribution of a controlled substance.

4. Because this affidavit is submitted only to obtain a criminal complaint and arrest warrant, I have set forth only those facts I believe are necessary to establish probable cause for the above-mentioned offenses in paragraph three.

5. This affidavit is intended to show merely that there is sufficient probable cause for the requested warrant and does not set forth all of my knowledge about this matter.

INVESTIGATION

6. On Saturday, April 1, 2023, at approximately 4:54 a.m., Officers of the Omaha Police Department were called to 2723 N. 99th St for CPR in progress for an overdose. Officers arrived on scene with OFD Medic 42 and found the victim, REVERE, Brandon, dob 8/2/86, laying on the floor of the living room. Medics treated the victim and transported him to Methodist Hospital while continuing life saving measures. REVERE was pronounced deceased at 5:36 a.m..

7. Your affiant received a phone call at approximately 6:00 a.m., on April 1, from DEA Supervisor Shawn QUIGLEY advising of the death. Affiant responded to the scene while QUIGLEY responded to Methodist Hospital.

8. Upon arrival to the residence, Affiant spoke to the victim's wife, Sophia KUNZ, dob 11/15/86, who stated her husband, REVERE, Brandon, got up to change their baby's diaper

and then went into the restroom while she went into the kitchen to get something to eat. After approximately twenty minutes, REVERE was still in the bathroom and KUNZ found the door was locked. KUNZ then used her nail to unlock the door and found REVERE slumped over on the floor with a needle on his thigh. KUNZ initiated CPR and called 911.

9. While Affiant was on scene, Affiant noted there to be an empty small plastic baggie on the bathroom counter adjacent to an inverted unopened beer can, on top of which was a light blue crushed substance. In Affiant's experience, Fentanyl-laced counterfeit oxycodone pills are most commonly light blue in color.

10. KUNZ provided Detectives with REVERE's phone and she was unable to provide the passcode. The phone was collected, put into airplane mode and placed on a battery so it would not lose power.

11. On Monday, April 3, 2023, Affiant spoke to KUNZ who stated she spoke to REVERE's father who stated to try code 4481 on REVERE's phone. Affiant put the code into the phone and was able to unlock it. On Tuesday, April 3, 2023, DEA completed the download on the phone and upon reviewing the downloaded information it was found REVERE was in contact with a party with phone number 805-419-1585 regarding purchasing pills. The communication started on 3/29/23 where "Patrick" texted REVERE about linking up. REVERE stated he would meet up with him the next day. The communication continues on 3/30/23 between both parties when REVERE asked if they were "10's" and how much he wanted for the pills. "Patrick" responded "they 30's and \$25 a pop". REVERE then said he would buy eight and "Patrick" said ok. The communication continued about where to meet up, but appeared the deal never happened.

12. On Friday, March 31, 2023, "Patrick" texted REVERE and stated "My bad you still need some" and said he had three on him. REVERE stated he did want them and they agreed to meet at the MegaSaver located near 108th and Maple Street. "Patrick" then informed REVERE that he had to charge "\$40 a pop" because these were his last three pills until he could get more the following day. "Patrick" stated the pills were "30mg oxy lures". The texting continued indicating both parties were at the MegaSaver.

13. On Tuesday, April 4, 2023, Affiant and DEA Special Agent Jared DORLAND went to the MegaSaver located at 3223 N. 108th Street to review surveillance video of the incident that occurred on FRI 31 MAR 23. Video showed REVERE's pickup truck, which Affiant recognized from having searched it on the morning of REVERE's death, backed into a parking stall in front of the MegaSaver at 18:12:26 (note: real time was 19:12:26 as the video system had not been changed to reflect daylight savings). An individual, believed to be "Patrick," then pulled up next to REVERE at 18:15:49 (real time 19:15:49) where the transaction took place. The individual was driving a silver Chevrolet Suburban. Both parties communicated for approximately two minutes before the Suburban left the location at 18:17:42 (real time 19:17:42) and REVERE left at 18:17:54 (real time 19:17:54).

14. Agent DORLAND ran "Patrick's" phone number in CashApp and found 805-419-1585 associated with a CashApp profile of Patrick HOSHOR and had a photo shown next to his name. DORLAND then pulled up NCJIS and found a Patrick HOSHOR with a date of birth of 10/18/96 and his Nebraska ID showed to appear to be the same Patrick HOSHOR on the CashApp.

15. Affiant then contacted KUNZ and asked for permission to utilize REVERE's phone and assume his identity so another buy from "Patrick" could be set up. KUNZ gave

permission and at that time a plan was established to make contact with "Patrick" with REVERE's phone.

16. On Wednesday, April 5, 2023, at 2:57 p.m., Agent DORLAND and Group Supervisor Shawn QUIGLEY began texting "Patrick" and asked if he still had those 30's. "Patrick" responded and said "yeah" and then said he had to go pick them up and would let him know when they could meet. At 7:42 p.m., "Patrick" texted and said he just picked them up and said he had two as that was all he could get with the money he had. Group Supervisor QUIGLEY responded and said he would take whatever he could give and asked if the price was the same. "Patrick" responded and stated they would be the same price and he would advise on a place to meet. "Patrick" then said to meet him at Casey's located at 5718 NW Radial Hwy. Members of the DEA Overdose Task Force, Omaha Police Able-1 and Nebraska State Patrol then went to the Casey's where contact was made with "Patrick" in the same silver Chevrolet Suburban he was in when at the MegaSaver at the meeting with REVERE. The driver was the sole occupant of the vehicle and he was identified as Patrick HOSHOR dob 10/18/96. HOSHOR was then taken into custody.

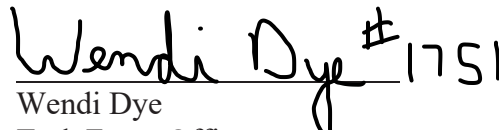
17. HOSHOR was transported to DEA Headquarters to be interviewed. Affiant read HOSHOR his Miranda Rights at 9:39 p.m. and he agreed to speak. HOSHOR admitted in the interview to selling light blue "M/30" pills to a party he met, he knew as "Brandon", after he met him while getting gas at the MegaSaver at 108th and Maple. HOSHOR opened his phone for detectives and showed the text conversation that matched the one found in REVERE's phone. HOSHOR stated he was been an addict off and on since he was fourteen years old and just got out of Carla Vista Sober Living located at 12648 Douglas Street in March 2023. HOSHOR stated he purchased the pills from a party whom he identified as Megan PEREZ who resides in

Elkhorn, Nebraska. HOSHOR stated he paid Megan \$30 for the pills and then sold them to “Brandon” for \$40. HOSHOR stated REVERE paid him in cash during the transaction at MegaSaver. HOSHOR stated the pills he sold were light blue in color and had an “M” on one side and a “30” on the other. HOSHOR was not found to have any drugs on him when he was contacted. HOSHOR stated to detectives that he was going to try and take the “buyer”, he knew as Brandon, to try and get some as Megan’s phone was off and he was never able to make contact.

18. HOSHOR was then transported to Douglas County Corrections where he was booked on a Federal hold.

CONCLUSION

19. Based on the aforementioned information, I submit that probable cause exists that on or about March 31, 2023, in the District of Nebraska, the defendant, HOSHOR, Patrick did distribute approximately two pills suspected to contain fentanyl in violation of Title 21 U.S.C. § 841(a)(1). As such, I respectfully request that the Court issue a criminal complaint and arrest warrant against HOSHOR.


Wendi Dye
Task Force Officer

Subscribed to and sworn to before me via reliable electronic means on April 6, 2023.


SUSAN M. BAZIS
United States Magistrate Judge